

**SOUTH DAKOTA DEPARTMENT OF EDUCATION  
SPECIAL EDUCATION PROGRAMS**

**Rosholt School District  
Continuous Improvement Monitoring Process Report 2004-2005**

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**Dates of On Site Visit:** March 10, 2005

**Date of Report:** March 21, 2005

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This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

<b>Promising Practice</b>	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
<b>Meets Requirements</b>	The district/agency consistently meets this requirement.
<b>Needs Improvement</b>	The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.
<b>Out of Compliance</b>	The district/agency consistently does not meet this requirement.
<b>Not applicable</b>	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

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<b>Principle 1 – General Supervision</b>
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General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

**Steering Committee Self-Assessment Summary**

Data sources used: State Data Tables

- B – District/Agency Instructional Staff Information
- C – Suspension and Expulsion Information
- D – Statewide Assessment Information
- E – Enrollment Information
- F – Placement Alternatives
- G – Disabling Conditions
- H – Exiting Information
- Parent Survey, referrals, publications of child find notices

- Comprehensive plan
- Yearly child find results

### **Promising practice**

The steering committee concluded the entire district staff participated in a data retreat which began in December 2002 and continued through the spring 2003. The data retreat involved hands-on analysis of four lenses of data: student data, professional practices, programs and structures, and parent and community involvement. Working collaboratively and reflectively the Rosholt staff examined test data and classroom grades which enabled them to paint a picture of student achievement. They also correlated student achievement with school programs. Considerable time was devoted to analyzing the data and determining areas of strength and weakness. As strengths and weakness in academic achievement were discovered, staff began to explore professional development that had been provided to teachers in the district as well as examine professional practices. Staff also studied and compiled parent and student surveys which allowed them to study the perceptions in their school community. Once the data had been mined, staff discussed and recorded observations made concerning the data they had compiled and formulated hypotheses concerning student achievement in the Rosholt district. Goals were then articulated for the district and strategies were implemented to help achieve the goals.

The steering committee concluded teachers meet as often as needed to discuss problems of concern for students. They do brainstorming ideas to help benefit students. They have a team of teachers, students and parents to discuss strategies for the student to be successful. The team is called SAP (Student Assistant Program).

### **Meets requirements**

The steering committee concluded the district has an identified system for receiving and documenting referrals as per school policies. Referrals are consistently documented and discussed with parents. The school district follows and adheres to the state guidelines for reporting of students suspended, expelled, or dropped out as per the reports required by the state regulations. Special education staff is certified and receive training as per student needs. The district ensures regular classroom staff is trained in the referral process, pre-referral interventions and how to implement modifications after the student is identified as a student in need of special education services. The district also maintains a census of all children birth to five years old that live in the district and present this information to the school board at their April meeting.

### **Needs improvement**

The steering committee concludes that according to teacher surveys, the district staff needs more training and supports to implement the IEP and they need copies of the student IEPs in order to implement the modifications and objectives.

## **Validation Results**

### **Meets requirements**

Through interview with staff, the monitoring team cannot validate the Student Assistant Program (SAP) and the data retreat which the district conducted as promising practices.

Through file review and interview of staff, the monitoring team can validate the steering committee findings under general supervision. The district conducts child find activities, has a referral system in place, and follows state and federal guidelines when addressing suspension or expulsion of students. District staff are certified and trained in various aspects of special education such as referral, pre-referral interventions, and modifications. The district also maintains census of all children birth to five within the district as part of the child find activities.

Through interview of staff, the monitoring team concludes the district staff does get copies of the student's goals and modifications and they do implement such along with the special education staff.

### **Needs improvement**

Through interview with staff, the monitoring team concurs with the steering committee finding that the staff could benefit from more training and supports to better implement student goals and objectives and the modifications identified on the IEP.

### **Out of compliance**

**ARSD 24:05:17:03. Annual report of children served.** In its annual report of children served, the district shall indicate the following: The number of children with disabilities receiving special education and related services on December 1 of that school year.

Through file review and interview with administration and staff, the monitoring team concluded the district's 2003 child count included the names of 10 kindergarten students who were not students with a disability. The district indicated the students were not students with a disability and they had never been evaluated for the purpose of determining eligibility for special education. The error occurred during the process of data entry into the Student Information Management System (SIMS).

### **Issues requiring immediate attention**

**ARSD 24:05:27:08. Yearly review and revision of individual educational programs.** Each school district shall initiate and conduct IEP team meetings to periodically review each child's individual educational program and, if appropriate, revise its provisions. An IEP team meeting must be held for this purpose at least once a year. The review shall be conducted to determine whether the annual goals for the student are being achieved. The individualized education program shall be revised, as appropriate, to address: any lack of expected progress toward the annual goals and in general curriculum; the results of any reevaluation conducted; information about the student provided to, or by, the parents; the student's anticipated needs; or other matters.

Through file review, the monitoring team concluded one student on the 2003 child count met the criteria of a child with a disability but the student did not have an active IEP in place on December 1, 2003.

**ARSD 24:05:22:03. Certified child.** A certified child is a child in need of special education or special education and related services who has received a multidisciplinary evaluation and has an individual education program formulated and approved by a local placement committee. Documentation supporting a child's disabling condition as defined by Part B of the Individuals with Disabilities Education Act must be maintained by the school district for verification of its annual federal child count. This definition applies to all eligible children ages 3 to 21, inclusive, and to only those children under the age of 3 who are in need of prolonged assistance.

Through file review, the monitoring team concluded one student on the 2003 child count was not child with a disability as defined by administrative rules. The IEP team used the standard error of measure when determining eligibility for one student as having a learning disability. This procedure can not be used in determining eligibility under the learning disability category. When determining eligibility for a student with a learning disability, the team must consider if there is a 1.5 standard deviation between the student's achievement scores and ability score. Only standard scores can be used to establish this discrepancy.

**ARSD 24:05:25:04.03. Determination of eligibility.** Upon completing the administration of tests and other evaluation materials as required by this chapter, the individual education program team and other

individuals required by § 24:05:25:04.02 shall determine whether the student is a student with a disability, as defined in this article. The school district shall provide a copy of the evaluation report and the documentation of determination of eligibility to the parent. A student may not be determined to be a student with a disability if the determinant factor for that decision is lack of instruction in reading or math or limited English proficiency and if the student does not otherwise meet the eligibility criteria under chapter § 24:05:24.01.

Through file review and interview, the monitoring team determined a student was determined as having a learning disability by the IEP team even though the team marked on the multidisciplinary team report/evaluation summary that the student was limited English proficient and there was lack of instruction.

## **Principle 2 – Free Appropriate Public Education**

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3<sup>rd</sup> birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- State Tables C,E,F,K, L, M, N
- Age at referral
- Number of students screened
- Personnel development education
- Preschool age
- School age
- Personnel training
- Budget information
- Comprehensive plan
- Surveys

#### **Meets requirements**

The steering committee concluded the district's current practices and the results of past reviews demonstrate the district provides a free appropriate public education for all students in the Rosholt School District. The district's comprehensive plan addresses the procedure for protection of students not yet eligible for special education services and consistently uses the parental rights brochure as per federal and state guidelines. The district consistently addresses the need for extended school year during the IEP process for each student and provides extended school if the IEP team determines the need.

The steering committee also concludes the district reviews each IEP on an annual basis in order to revise goals and objectives to meet student needs. The district provides special education to students ages 3 to 21 years old. Extended school year is addressed during the IEP process and is provided to students who the IEP team determines needs such services.

### **Validation Results**

#### **Meets requirements**

Through file review and interview of staff the monitoring team concurs with committee findings under the provision free appropriate public education. The district has a comprehensive plan in place which the district follows. Extended school year is provided when the IEP team determines the need.

### **Principle 3 – Appropriate Evaluation**

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

#### **Steering Committee Self-Assessment Summary**

Data sources used:

- State tables G,H,I,J
- Teacher file reviews
- Surveys
- Comprehensive plan
- Parent Teacher report forms
- Initial referral

#### **Meets requirements**

The steering committee concluded the district uses state approved forms which contain all required content. The district uses a team approach when determining what areas need to be addressed during the evaluation process in order to evaluate the student in all areas of suspected disability, including transition. Training in the area of functional assessment has been provided to the district special education staff. The district consistently notifies parents and receives their consent prior to evaluation as per state guidelines and timelines.

#### **Needs improvement**

The steering committee concluded the district does not consistently conduct reevaluation of students who are receiving special education services to determine if they continue to qualify as a child with a disability as per South Dakota eligibility criteria.

#### **Out of compliance**

The steering committee concluded the district does not consistently conduct functional evaluation in all areas of suspected disability and summarize the results into a report.

#### **Validation Results**

##### **Meets requirements**

Through file review, the monitoring team concurs with some of the steering committee findings as meeting requirement under the evaluation provision. Transition evaluations are conducted by age 16; the district uses a team of people to determine what areas need to be evaluated/reevaluated. Prior notice/permission to test form was available in all files reviewed.

The monitoring team could not validate the steering committee findings listed as needing improvement under the provision of evaluation. Through file review, the monitoring team determined the district does consistently evaluate to determine continued eligibility every three years. Reevaluation data was available in all files reviewed.

The monitoring team could also not validate the steering committee findings identified as out of compliance under evaluation. The monitoring team found functional assessments and functional information compiled into a report form in all files reviewed.

#### **Out of compliance**

**ARSD 24:05:25:04.02. Determination of needed evaluation data.** As part of an initial evaluation, if appropriate, the individual education program team required by § 24:05:27:01.01 and other individuals with knowledge and skills necessary to interpret evaluation data, determine whether the child has a disability, and determine whether the child needs special education and related services, as appropriate, shall review existing evaluation data on the child and input from the student's parents, shall identify what additional data is needed.

Through file review, the monitoring team determined the district does not consistently follow state guidelines during the evaluation process. In seven of the files reviewed there was no documentation of parent input into the evaluation process. In one file reviewed, the monitoring team could not locate the prior notice/permission to evaluate.

**ARSD24:05:25:04. Evaluation procedures.** School districts shall ensure, at a minimum, that evaluation procedures ensures the child is assessed in all areas related to the suspected disability, including, as applicable, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities and that the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

Through file review, the monitoring team concluded the district does not consistently conduct a comprehensive evaluation. For example, no ability evaluation was completed nor was the previous ability scores brought forth as part of the eligibility determination. In another file, consent was obtained to evaluate behavior concerns however, behavior was not evaluated.

### **Principle 4 – Procedural Safeguards**

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

#### **Steering Committee Self-Assessment Summary**

Data sources used:

- State Table L and M
- Teacher file reviews
- Surveys
- Comprehensive plan
- Parental Right document
- Consent and prior notice forms
- Public awareness information
- FERPA disclosure

### **Meets requirements**

The steering committee concluded the district consistently meets requirement under the provision of procedural safeguards. Parent surveys indicate they consistently receive their parental rights as per state and federal guidelines. Parent consent is obtained prior to initial placement.

### **Needs improvement**

The steering committee concluded the district has not identified someone within the community who would serve as a surrogate parent.

## **Validation Results**

### **Meets requirements**

Through file review and interview with staff, the monitoring team concurs with the steering committee findings under the provision of procedural safeguards. Parental consent is consistently obtained prior to initial placement and the state approved parent rights are consistently given to parents as per state and federal guidelines.

Through staff interview, the monitoring team cannot validate the steering committee findings identified as needing improvement. The district has a trained surrogate parent within their school district.

### **Out of compliance**

**ARSD 24:05:30:04. Prior notice and parent consent.** Written notice which meets the requirements of § 24:05:30:05 must be given to the parents five days before the district proposes or refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child. Informed parental consent must be obtained before conducting a first-time evaluation, reevaluation, and before initial placement of a child in a program providing special education or special education and related services.

In three files the district evaluated areas (adaptive behavior, behavior, and autism rating scale) without parental consent. These areas were evaluated but were not listed on the prior notice/permission to test form.

## **Principle 5 – Individualized Education Program**

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- Comprehensive Plan
- Teacher file reviews
- Student progress data
- Personnel development information
- Surveys

### **Meets requirements**

The steering committee concludes the district meets requirement under the provision of Individualized Education Program (IEP) in the areas of IEP team membership, inviting transition age student and non-

transition age students to their IEP meetings and inviting agency representatives to the IEP meeting for the purpose of transition. The district implements the IEP immediately following the IEP meeting and elementary teachers are given a copy of the IEP.

The district concludes the IEP form contains all required information and goals and objective link directly to the present level of performance and are measurable. All areas of the IEP are addressed. This includes justification statements, student participation with non-disabled students and documentation of parent input.

The steering committee concludes the district consistently reviews student IEPs on an annual basis. Transition is appropriately addressed prior to the student reaching age 14 and then again prior to reaching age 16.

The steering committee concludes the district's comprehensive plan addresses procedures to address the transition of Part C students to Part B.

### **Needs improvement**

The steering committee concludes the district does not consistently meet timeline requirements. IEP meetings are not consistently conducted within 30 days of receiving the evaluation results. The district also does not consistently document how the student's disability affects his/her involvement in the general curriculum. The district does not consistently document specific skill based strengths and needs on the present level of performance and strengths and needs do not consistently link to functional assessment.

## **Validation Results**

### **Meets requirements**

Through file review, the monitoring team concurs with the steering committee findings under the Individualized Education Program provision. The district consistently has the required membership at IEP meetings, transition is addressed at the required ages, and the IEP is implemented immediately following the meeting. Goals and objectives link to the present level of performance and are measurable.

Through file review, the monitoring team could not validate all the steering committee findings identified as needing improvement. In the files reviewed the district did conduct IEP meetings within the required 30 calendar of receiving the evaluation report. In all files reviewed the present level of performance addressed specific skill based strengths and needs in the area of academics, speech and behavior.

### **Needs improvement**

Through file review, the monitoring team concurs with the steering committee finding in the area of not linking functional evaluation to strengths and needs in the area of transition. In one of the two files reviewed that required transition to be address on the present level of performance, there was no transition strengths and needs addressed.

### **Out of compliance**

**ARSD 24:05:27:01.03. Content of individualized education program.** Each student's individualized education program shall include: A statement of the student's present levels of educational performance and how the student's disability affects the student's involvement and progress in the general curriculum.

Through file review of five student files, the present level of performance did not include how the disability affects the student's progress in the general curriculum.



**24:05:27:01.02. Development, review, and revision of individualized education program.** In developing, reviewing, and revising each student's individualized education program, the team shall consider the strengths of the student and the concerns of the parents for enhancing the education of their student.

Through file review, the monitoring team determined that in two of five files parent input into the present level of performance was not documented.

**ARSD 24:05:28:01. Least restrictive program to be provided.** Children in need of special education or special education and related services shall be provided special programs and services to meet with individual needs which are coordinated with the regular educational program whenever appropriate. Removal from the regular educational classroom may occur only when the nature or severity of the child's needs is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Through file review, the monitoring team concluded the district does not consistently document why the IEP team determined the student's needs cannot be met at each continuum of placement prior to moving to a more restrictive setting. In four files the justification did not adequately address why the instruction could not occur in the regular classroom with modifications. For example, "Student is able to function well in the general education classroom when the work is modified to the student's level. The student does, however, need to be in a smaller setting with alternative materials for reading." Explains what will be provided but does not explain why the smaller setting is needed.

## **Principle 6 – Least Restrictive Environment**

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- File reviews
- Surveys
- General curriculum information
- Budget information

#### **Meets requirements**

The steering committee concludes the district meets requirements under the provision of least restrictive environment. The IEP team addresses placement after the team addresses goals and objectives. As a result, students indicate they are educated with other students of their age. District staff indicates they provide input into the development of the IEP and modify or adapt curriculum to meet the needs of students in the regular classroom.

#### **Needs improvement**

The steering committee concludes the district staff indicates they need more training, information and supports to implement IEPs. Staff also indicates they do not have sufficient time available to complete necessary tasks such as attending IEP meetings and modifying curriculum.

## **Validation Results**

### **Meets requirements**

Through file review the monitoring team concurs with all areas identified by the steering committee as meeting requirement under least restrictive environment.

### **Needs improvement**

Through interview with staff the monitoring team concurs with the areas identified by the steering committee as needing improvement.